



Town of Arlington
Department of Health and Human Services
Office of the Board of Health

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**Board of Health Meeting Minutes
Wednesday, December 5, 2018
BOH Conference Room – Mural Room
Arlington Senior Center
5:30 pm**

Board Members in Attendance: Dr. Marie Walsh Condon, Mr. Kenneth Kohlberg, Dr. Kevin Fallon

Staff in Attendance: Natasha Waden, Director of Public Health; Padraig Martin, Health Compliance Officer, Kylee Sullivan, Health Compliance Officer; Jessica Kerr, Public Health Nurse; Nina Shields, Public Health Associate

Others in Attendance: Cheryl Sbarra (MAHB), Ping Zheng (USushi Café)

Recording Secretary: Laura Munsey, Health & Human Services Office Manager

Meeting called to order by Dr. Marie Walsh Condon at 5:30 pm.

Dr. Walsh Condon asked the Board and those in attendance for a moment of silence to honor Arlington Select Board Member Kevin Greely and President George Bush who both recently passed away.

1. AGENDA ITEM:

Acceptance of Meeting Minutes from October 24, 2018

A Motion was made by Dr. Kevin Fallon which was seconded by Mr. Kenneth Kohlberg to accept the October 24, 2018 Meeting Minutes as Submitted.

Vote: 3 - 0 in favor of the motion (Unanimous)

Acceptance of Meeting Minutes from November 14, 2018

A Motion was made by Mr. Kenneth Kohlberg which was seconded by Dr. Kevin Fallon to accept the November 14, 2018 Meeting Minutes as Amended.

Vote: 3 -0 in favor of the motion (Unanimous)

2. HEARING

Regulation to Ensure the Sanitary and Safe Operation of Adult-Use Marijuana Establishments and the Sale of Adult-Use Marijuana

Director Waden introduced Cheryl Sbarra of the Massachusetts Association of Health Boards (MAHB). She informed the Board that Inspectors Martin and Sullivan worked diligently on the proposed Regulations. Inspector Martin reviewed all changes incorporated into the draft document.

Dr. Walsh Condon had a question under Section D, 1, ii, regarding Marijuana Delivery-only establishments, and inquired if the Board could add to the definition, because it is unclear as currently written.

Cheryl Sbarra informed the Board that 2 Parts in the original Cannabis Control Commission (CCC) Regulations (Social Consumption and Home Delivery) are on hold. She stated a Social Consumption Committee has been formed. The Home Delivery Committee has recommended that more research is needed for Policy Issues.

Ms. Sbarra recommended the Board leave the Arlington Board of Health Regulation as currently written, and the Board has a right to make changes as additional information and research is provided or becomes available.

Director Waden recommended additional language be added to support the Arlington Health Department's enforcement of policies and procedures outlined in the Cannabis Control Commission (CCC) regulations pertaining to Adult Use Marijuana. Cheryl Sbarro offered to provide language from the MAHB as a separate section. The language would be similar to the following: "Incorporation of 935 CMR 500.000: All marijuana establishments shall comply with the provisions of 935 CMR 500.000." Incorporation of this language into local regulations would allow the Health Department to enforce all aspects of the CCC regulation.

Ms. Sbarra complimented the Arlington Health Department and Board for these Regulations, and asked if the MAHB could use these as one of the model regulations/templates used on their website.

A Motion was made by Dr. Kevin Fallon which was seconded by Mr. Kenneth Kohlberg to accept the Regulation to Ensure the Sanitary and Safe Operation of Adult-Use Marijuana Establishments and the Sale of Adult-Use Marijuana with the addition of the proposed language provided by the Massachusetts Association of Health Boards: All marijuana establishments shall comply with the provisions of 935 CMR 500.000.

Vote: 3 - 0 in favor of the motion (Unanimous)

3. HEARING

Appointment of Cindy Sheridan Curran to Agent of the BOH

Director Waden provided the Board with a memo dated October 18, 2018 to appoint Cindy Sheridan Curran as an Agent of the Board of Health to enforce any violations associated with the Board of Health Regulations: Prohibiting Smoking in Workplaces and Public Places. Director Waden stated that the Health Department receives frequent complaints by Arlington Public School personnel regarding youth smoking or vaping on school grounds at the Middle and High Schools. In Ms. Curran's role as Jail Diversion Coordinator for the Schools, her work with the Restorative Justice Program, and her existing relationships with the students, she would be an invaluable asset in aiding with this issue. Director Waden further stated that Cindy works closely with the Arlington Youth Health and Safety Coalition Director, who manages the youth tobacco violation process. As an agent of the Board of Health, Ms. Curran would assist in streamlining the process of issuing tickets, following up with parents, confirming payment of fines issued, and pursuing court complaints when necessary.

Mr. Kenneth Kohlberg informed the Board he is a friend of Ms. Curran and will need to abstain from the vote.

A Motion was made by Dr. Kevin Fallon which was seconded by Dr. Marie Walsh Condon to appoint Cindy Sheridan Curran an Agent of the Board of Health to enforce any violations associated with the Board of Health Regulations: Prohibiting Smoking in Workplaces and Public Places.

Vote: 2 – 0 in favor of the Motion; 1 abstention (Mr. Kenneth Kohlberg)

4. HEARING

USushi Café (474 Massachusetts Avenue) – Variance Request

Inspector Sullivan informed the Board that a Plan Review has been received from USushi Café (474 Massachusetts Avenue). She stated that a component of the Plan Review application was a variance request to use acidification, through the use of a vinegar solution, to render cooked rice a non-potentially hazardous food. Inspector Sullivan reported that all components of the Plan Review application and variance request were complete and in compliance with the Food Code. She stated she has discussed the importance of filling out pH logs as a condition of variance approval with the Applicants. Inspector Sullivan recommended approval of the variance request, and stated meters and strips will be used for monitoring pH levels.

A Motion was made by Mr. Kevin Fallon which was seconded by Mr. Kenneth Kohlberg to grant a variance request to USushi Café to use acidification, through the use of vinegar solution to render cooked rice a non-potentially hazardous food in the production of Sushi rice.

Vote: 3-0 in favor of the motion (Unanimous)

5. HEARING

Medical Marijuana

Director Waden presented the Board with an updated draft of the Regulation of the Arlington Board of Health Restricting the Sale of Medical Marijuana to change the Massachusetts Department of Public Health (DPH) to the Cannabis Control Commission (CCC) throughout the document. No other changes have been made at this time.

She stated that oversight of the Massachusetts Medical Use Marijuana Program will be changed from Massachusetts Department of Public Health to the Cannabis Control Commission (CCC) in January 2019. The CCC regulations 935 CMR 501.000 MEDICAL USE OF MARIJUANA have not yet been finalized. As such, the Health Department has amended our regulations to temporarily address the gap between now and February when we will put forth an updated version to fully reflect the final CCC version.

A Motion was made by Mr. Kenneth Kohlberg which was seconded by Dr. Kevin Fallon to accept the revised Regulation of the Arlington Board of Health Restricting the Sale of Medical Marijuana.

Vote: 3-0 in favor of the motion (Unanimous)

6. UPDATES:

Environmental Updates

Inspector Sullivan informed the Board that the Health Department is now eligible for a grant funded by the Attorney General Office's Abandoned Housing Initiative (AHI) to implement electronic housing software throughout the Department. The Health Department is eligible for this grant opportunity due to its continuous efforts working with the AHI to reduce the number of abandoned and blighted properties in Town.

The electronic software funded by this grant would improve efficiency and reduce redundancy with enforcing the State Sanitary Code as well as other Codes related to housing. Inspector Sullivan is in the process of researching various brands of software to determine which product would best fit the grant requirements and the Department's needs. Inspector Sullivan stated this software could benefit other Departments in Town such as Inspectional Services and the Fire Department. Inspector Sullivan has reached out to Adam Kurowski of the I.T. Department for his expertise in software selection.

In the future, another grant opportunity will be available through the AHI to fund demolition costs of abandoned properties that the AHI and the Town is working on to achieve compliance with applicable housing codes.

7. UPDATES:

Restaurant Updates

Inspector Martin informed the Board:

- No new restaurants have been opened.
- No restaurants have been closed.
- Annual renewals are underway. Over 200 permits will be issued for Food Establishments and Residential Kitchens.
- The Health Department held two 2013 Food Code Trainings, and the presentation is available on the Health Department website.

8. UPDATES:

Public Health Nurse Updates

Ms. Jessica Kerr informed the Board that the Health Department is finishing up flu clinics and have held 25 clinics to date, with the final clinic scheduled for December 6, 2018. Nurse Kerr stated that approximately 2,000 residents have been vaccinated, an increase of over 400 from last year. She reported there have been 6 confirmed cases of the flu for Arlington residents.

Nurse Kerr informed the Board that Arlington is now the host site for the Medical Reserve Corp (MRC) Region 4B. She stated this Region includes 18 different communities. She reported that Domenic Gentile is the Region 4B MRC Coordinator and a new database is being created through MA Responses. Recruitment events will be held in the near future.

Director Waden praised Nurse Kerr and the staff for their hard work and effort with the flu clinics. She further informed the Board that Ms. Nina Shields, Public Health Associate from Northeastern University, will be completing her internship in a couple weeks. Director Waden shared with the Board the exemplary job Ms. Shields has done, and that she has been an invaluable asset to the Department and will be greatly missed.

Meeting Adjourned @ 6:18 pm.

DRAFT